Union Calendar No. 7

109TH CONGRESS 1ST SESSION

H. R. 1268

[Report No. 109-16]

Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 11, 2005

Mr. Lewis of California, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That the following sums are appropriated, out of any
- 4 money in the Treasury not otherwise appropriated, for the
- 5 fiscal year ending September 30, 2005, and for other pur-
- 6 poses, namely:

1	TITLE I—DEFENSE-RELATED APPROPRIATIONS
2	CHAPTER 1
3	DEPARTMENT OF DEFENSE
4	DEPARTMENT OF DEFENSE—MILITARY
5	MILITARY PERSONNEL
6	MILITARY PERSONNEL, ARMY
7	For an additional amount for "Military Personnel,
8	Army'', \$11,779,642,000: Provided, That the amounts
9	provided under this heading are designated as an emer-
10	gency requirement pursuant to section 402 of the con-
11	ference report to accompany S. Con. Res. 95 (108th Con-
12	gress).
13	MILITARY PERSONNEL, NAVY
14	For an additional amount for "Military Personnel,
15	Navy", \$534,080,000: Provided, That the amounts pro-
16	vided under this heading are designated as an emergency
17	requirement pursuant to section 402 of the conference re-
18	port to accompany S. Con. Res. 95 (108th Congress).
19	MILITARY PERSONNEL, MARINE CORPS
20	For an additional amount for "Military Personnel,
21	Marine Corps", \$1,251,726,000: Provided, That the
22	amounts provided under this heading are designated as
23	an emergency requirement pursuant to section 402 of the
24	conference report to accompany S. Con. Res. 95 (108th
25	Congress).

1	MILITARY PERSONNEL, AIR FORCE
2	For an additional amount for "Military Personnel
3	Air Force', \$1,473,472,000: Provided, That the amount
4	provided under this heading are designated as an emer
5	gency requirement pursuant to section 402 of the con-
6	ference report to accompany S. Con. Res. 95 (108th Con
7	gress).
8	RESERVE PERSONNEL, ARMY
9	For an additional amount for "Reserve Personnel
10	Army", \$40,327,000: Provided, That the amounts pro
11	vided under this heading are designated as an emergence
12	requirement pursuant to section 402 of the conference re
13	port to accompany S. Con. Res. 95 (108th Congress).
14	RESERVE PERSONNEL, NAVY
15	For an additional amount for "Reserve Personnel
16	Navy", \$11,111,000: Provided, That the amounts pro
17	vided under this heading are designated as an emergence
18	requirement pursuant to section 402 of the conference re
19	port to accompany S. Con. Res. 95 (108th Congress).
20	RESERVE PERSONNEL, MARINE CORPS
21	For an additional amount for "Reserve Personnel
22	Marine Corps", \$4,115,000: Provided, That the amount

23 provided under this heading are designated as an emer-

24 gency requirement pursuant to section 402 of the con-

- 1 ference report to accompany S. Con. Res. 95 (108th Con-
- 2 gress).
- 3 RESERVE PERSONNEL, AIR FORCE
- 4 For an additional amount for "Reserve Personnel,
- 5 Air Force", \$130,000: Provided, That the amounts pro-
- 6 vided under this heading are designated as an emergency
- 7 requirement pursuant to section 402 of the conference re-
- 8 port to accompany S. Con. Res. 95 (108th Congress).
- 9 National Guard Personnel, Army
- For an additional amount for "National Guard Per-
- 11 sonnel, Army", \$430,300,000: *Provided*, That the
- 12 amounts provided under this heading are designated as
- 13 an emergency requirement pursuant to section 402 of the
- 14 conference report to accompany S. Con. Res. 95 (108th
- 15 Congress).
- 16 NATIONAL GUARD PERSONNEL, AIR FORCE
- 17 For an additional amount for "National Guard Per-
- 18 sonnel, Air Force", \$91,000: Provided, That the amounts
- 19 provided under this heading are designated as an emer-
- 20 gency requirement pursuant to section 402 of the con-
- 21 ference report to accompany S. Con. Res. 95 (108th Con-
- 22 gress).

1	OPERATION AND MAINTENANCE
2	OPERATION AND MAINTENANCE, ARMY
3	For an additional amount for "Operation and Main-
4	tenance, Army", \$17,366,004,000: Provided, That the
5	amounts provided under this heading are designated as
6	an emergency requirement pursuant to section 402 of the
7	conference report to accompany S. Con. Res. 95 (108th
8	Congress).
9	OPERATION AND MAINTENANCE, NAVY
10	For an additional amount for "Operation and Main-
11	tenance, Navy'', \$3,030,801,000: Provided, That the
12	amounts provided under this heading are designated as
13	an emergency requirement pursuant to section 402 of the
14	conference report to accompany S. Con. Res. 95 (108th
15	Congress).
16	OPERATION AND MAINTENANCE, MARINE CORPS
17	For an additional amount for "Operation and Main-
18	tenance, Marine Corps", \$982,464,000: Provided, That
19	the amounts provided under this heading are designated
20	as an emergency requirement pursuant to section 402 or
21	the conference report to accompany S. Con. Res. 95
22	(108th Congress).
23	OPERATION AND MAINTENANCE, AIR FORCE
24	For an additional amount for "Operation and Main-
25	tenance Air Force" \$5.769.450.000: Provided That the

- 1 amounts provided under this heading are designated as
- 2 an emergency requirement pursuant to section 402 of the
- 3 conference report to accompany S. Con. Res. 95 (108th
- 4 Congress).
- 5 OPERATION AND MAINTENANCE, DEFENSE-WIDE
- 6 For an additional amount for "Operation and Main-
- 7 tenance, Defense-Wide'', \$3,061,300,000, of which—
- 8 (1) not to exceed \$25,000,000 may be used for
- 9 the Combatant Commander Initiative Fund, to be
- used in support of Operation Iraqi Freedom and Op-
- 11 eration Enduring Freedom; and
- 12 (2) up to \$1,220,000,000, to remain available
- until expended, may be used for payments to reim-
- burse Pakistan, Jordan, and other key cooperating
- 15 nations, for logistical, military, and other support
- provided, or to be provided, to United States mili-
- tary operations, notwithstanding any other provision
- of law: *Provided*, That such payments may be made
- in such amounts as the Secretary of Defense, with
- the concurrence of the Secretary of State, and in
- 21 consultation with the Director of the Office of Man-
- agement and Budget, may determine, in his discre-
- tion, based on documentation determined by the Sec-
- retary of Defense to adequately account for the sup-
- port provided, and such determination is final and

- 1 conclusive upon the accounting officers of the United
- 2 States, and 15 days following notification to the ap-
- 3 propriate congressional committees: Provided further,
- 4 That the Secretary of Defense shall provide quar-
- 5 terly reports to the Committees on Appropriations
- on the use of funds provided in this paragraph: *Pro-*
- 7 vided further, That the amounts provided under this
- 8 heading are designated as an emergency requirement
- 9 pursuant to section 402 of the conference report to
- accompany S. Con. Res. 95 (108th Congress).
- 11 OPERATION AND MAINTENANCE, ARMY RESERVE
- For an additional amount for "Operation and Main-
- 13 tenance, Army Reserve", \$8,154,000: Provided, That the
- 14 amounts provided under this heading are designated as
- 15 an emergency requirement pursuant to section 402 of the
- 16 conference report to accompany S. Con. Res. 95 (108th
- 17 Congress).
- 18 OPERATION AND MAINTENANCE, NAVY RESERVE
- 19 For an additional amount for "Operation and Main-
- 20 tenance, Navy Reserve", \$75,164,000: Provided, That the
- 21 amounts provided under this heading are designated as
- 22 an emergency requirement pursuant to section 402 of the
- 23 conference report to accompany S. Con. Res. 95 (108th
- 24 Congress).

1	OPERATION AND MAINTENANCE, MARINE CORPS
2	Reserve
3	For an additional amount for "Operation and Main-
4	tenance, Marine Corps Reserve", \$24,920,000: Provided
5	That the amounts provided under this heading are des-
6	ignated as an emergency requirement pursuant to section
7	402 of the conference report to accompany S. Con. Res
8	95 (108th Congress).
9	OPERATION AND MAINTENANCE, ARMY NATIONAL
10	GUARD
11	For an additional amount for "Operation and Main-
12	tenance, Army National Guard", \$188,779,000: Provided
13	That the amounts provided under this heading are des-
14	ignated as an emergency requirement pursuant to section
15	402 of the conference report to accompany S. Con. Res
16	95 (108th Congress).
17	Overseas Humanitarian, Disaster, and Civic Aid
18	For an additional amount for "Overseas Humani-
19	tarian, Disaster, and Civic Aid", \$10,000,000, to remain
20	available until September 30, 2006: Provided, That the
21	amounts provided under this heading are designated as
22	an emergency requirement pursuant to section 402 of the
23	conference report to accompany S. Con. Res. 95 (108th
24	Congress).

1	Afghanistan Security Forces Fund
2	(INCLUDING TRANSFER OF FUNDS)
3	For the "Afghanistan Security Forces Fund",
4	\$1,285,000,000, to remain available until September 30,
5	2006: Provided, That such funds shall be available to the
6	Secretary of Defense, notwithstanding any other provision
7	of law, for the purpose of allowing the Commander, Com-
8	bined Forces Command-Afghanistan, or the Secretary's
9	designee to provide assistance, with the concurrence of the
10	Secretary of State, to the security forces of Afghanistan
11	including the provision of equipment, supplies, services,
12	training, facility and infrastructure repair, renovation, and
13	construction, and funding: Provided further, That the au-
14	thority to provide assistance under this section is in addi-
15	tion to any other authority to provide assistance to foreign
16	nations: Provided further, That the Secretary of Defense
17	may transfer the funds provided herein to appropriations
18	for military personnel; operation and maintenance; Over-
19	seas Humanitarian, Disaster, and Civic Aid; procurement;
20	research, development, test and evaluation; and defense
21	working capital funds to accomplish the purposes provided
22	herein: Provided further, That this transfer authority is
23	in addition to any other transfer authority available to the
24	Department of Defense: Provided further, That upon a de-
25	termination that all or part of the funds so transferred

- 1 from this appropriation are not necessary for the purposes
- 2 provided herein, such amounts may be transferred back
- 3 to this appropriation: *Provided further*, That contributions
- 4 of funds for the purposes provided herein from any person,
- 5 foreign government, or international organization may be
- 6 credited to this Fund, and used for such purposes: Pro-
- 7 vided further, That the Secretary of Defense shall, not
- 8 fewer than 5 days prior to making transfers from this ap-
- 9 propriation, notify the congressional defense committees
- 10 in writing of the details of any such transfer: Provided
- 11 further, That the Secretary shall submit a report no later
- 12 than 30 days after the end of each fiscal quarter to the
- 13 congressional defense committees summarizing the details
- 14 of the transfer of funds from this appropriation: Provided
- 15 further, That the amounts provided under this heading are
- 16 designated as an emergency requirement pursuant to sec-
- 17 tion 402 of the conference report to accompany S. Con.
- 18 Res. 95 (108th Congress).
- 19 IRAQ SECURITY FORCES FUND
- 20 (INCLUDING TRANSFER OF FUNDS)
- 21 For the "Iraq Security Forces Fund",
- 22 \$5,700,000,000, to remain available until September 30,
- 23 2006: Provided, That such funds shall be available to the
- 24 Secretary of Defense, notwithstanding any other provision
- 25 of law, for the purpose of allowing the Commander, Multi-

- 1 National Security Transition Command—Iraq, or the Sec-
- 2 retary's designee to provide assistance, with the concur-
- 3 rence of the Secretary of State, to the security forces of
- 4 Iraq including the provision of equipment, supplies, serv-
- 5 ices, training, facility and infrastructure repair, renova-
- 6 tion, and construction, and funding: Provided further,
- 7 That the authority to provide assistance under this section
- 8 is in addition to any other authority to provide assistance
- 9 to foreign nations: Provided further, That the Secretary
- 10 of Defense may transfer the funds provided herein to ap-
- 11 propriations for military personnel; operation and mainte-
- 12 nance; Overseas Humanitarian, Disaster, and Civic Aid;
- 13 procurement; research, development, test and evaluation;
- 14 and defense working capital funds to accomplish the pur-
- 15 poses provided herein: Provided further, That this transfer
- 16 authority is in addition to any other transfer authority
- 17 available to the Department of Defense: Provided further,
- 18 That upon a determination that all or part of the funds
- 19 so transferred from this appropriation are not necessary
- 20 for the purposes provided herein, such amounts may be
- 21 transferred back to this appropriation: Provided further,
- 22 That contributions of funds for the purposes provided
- 23 herein from any person, foreign government, or inter-
- 24 national organization may be credited to this Fund, and
- 25 used for such purposes: Provided further, That, notwith-

- 1 standing any other provision of law, from funds made
- 2 available under this heading, up to \$99,000,000 may be
- 3 used to provide assistance to the Government of Jordan
- 4 to establish a regional training center designed to provide
- 5 comprehensive training programs for regional military and
- 6 security forces and military and civilian officials, to en-
- 7 hance the capability of such forces and officials to respond
- 8 to existing and emerging security threats in the region:
- 9 Provided further, That assistance authorized by the pre-
- 10 ceding proviso may include the provision of facilities,
- 11 equipment, supplies, services, training and funding, and
- 12 the Secretary of Defense may transfer funds to any Fed-
- 13 eral agency for the purpose of providing such assistance:
- 14 Provided further, That the Secretary of Defense shall, not
- 15 fewer than 5 days prior to making transfers from this ap-
- 16 propriation, notify the congressional defense committees
- 17 in writing of the details of any such transfer: Provided
- 18 further, That the Secretary shall submit a report no later
- 19 than 30 days after the end of each fiscal quarter to the
- 20 congressional defense committees summarizing the details
- 21 of the transfer of funds from this appropriation: Provided
- 22 further, That the amounts provided under this heading are
- 23 designated as an emergency requirement pursuant to sec-
- 24 tion 402 of the conference report to accompany S. Con.
- 25 Res. 95 (108th Congress).

1	PROCUREMENT
2	AIRCRAFT PROCUREMENT, ARMY
3	For an additional amount for "Aircraft Procurement
4	Army", \$458,677,000, to remain available until Sep-
5	tember 30, 2007: Provided, That the amounts provided
6	under this heading are designated as an emergency re-
7	quirement pursuant to section 402 of the conference re-
8	port to accompany S. Con. Res. 95 (108th Congress).
9	MISSILE PROCUREMENT, ARMY
10	For an additional amount for "Missile Procurement
11	Army", \$340,536,000, to remain available until Sep-
12	tember 30, 2007: Provided, That the amounts provided
13	under this heading are designated as an emergency re-
14	quirement pursuant to section 402 of the conference re-
15	port to accompany S. Con. Res. 95 (108th Congress).
16	PROCUREMENT OF WEAPONS AND TRACKED COMBAT
17	Vehicles, Army
18	For an additional amount for "Procurement of Weap-
19	ons and Tracked Combat Vehicles, Army"
20	\$2,678,747,000, to remain available until September 30
21	2007: Provided, That the amounts provided under this
22	heading are designated as an emergency requirement pur-
23	suant to section 402 of the conference report to accom-
24	pany S. Con. Res. 95 (108th Congress).

1	PROCUREMENT OF AMMUNITION, ARMY
2	For an additional amount for "Procurement of Am-
3	munition, Army", \$532,800,000, to remain available until
4	September 30, 2007: Provided, That the amounts provided
5	under this heading are designated as an emergency re-
6	quirement pursuant to section 402 of the conference re-
7	port to accompany S. Con. Res. 95 (108th Congress).
8	OTHER PROCUREMENT, ARMY
9	(INCLUDING TRANSFER OF FUNDS)
10	For an additional amount for "Other Procurement,
11	Army'', \$6,634,905,000, to remain available until Sep-
12	tember 30, 2007, of which \$85,000,000 shall be derived
13	by transfer from "Iraq Freedom Fund": Provided, That
14	the amounts provided under this heading are designated
15	as an emergency requirement pursuant to section 402 of
16	the conference report to accompany S. Con. Res. 95
17	(108th Congress).
18	Aircraft Procurement, Navy
19	For an additional amount for "Aircraft Procurement,
20	Navy", \$200,295,000, to remain available until September
21	30, 2007: Provided, That the amounts provided under this
22	heading are designated as an emergency requirement pur-
23	suant to section 402 of the conference report to accom-
24	pany S. Con. Res. 95 (108th Congress).

1	Weapons Procurement, Navy
2	For an additional amount for "Weapons Procure-
3	ment, Navy'', \$71,600,000, to remain available until Sep-
4	tember 30, 2007: Provided, That the amounts provided
5	under this heading are designated as an emergency re-
6	quirement pursuant to section 402 of the conference re-
7	port to accompany S. Con. Res. 95 (108th Congress).
8	PROCUREMENT OF AMMUNITION, NAVY AND MARINE
9	Corps
10	For an additional amount for "Procurement of Am-
11	munition, Navy and Marine Corps", \$141,735,000, to re-
12	main available until September 30, 2007: Provided, That
13	the amounts provided under this heading are designated
14	as an emergency requirement pursuant to section 402 of
15	the conference report to accompany S. Con. Res. 95
16	(108th Congress).
17	OTHER PROCUREMENT, NAVY
18	For an additional amount for "Other Procurement,
19	Navy", \$78,372,000, to remain available until September
20	30, 2007: Provided, That the amounts provided under this
21	heading are designated as an emergency requirement pur-
22	suant to section 402 of the conference report to accom-
23	nany S. Con. Res. 95 (108th Congress)

1	PROCUREMENT, MARINE CORPS
2	For an additional amount for "Procurement, Marine
3	Corps", \$3,588,495,000, to remain available until Sep-
4	tember 30, 2007: Provided, That the amounts provided
5	under this heading are designated as an emergency re-
6	quirement pursuant to section 402 of the conference re-
7	port to accompany S. Con. Res. 95 (108th Congress).
8	AIRCRAFT PROCUREMENT, AIR FORCE
9	For an additional amount for "Aircraft Procurement,
10	Air Force", \$279,241,000, to remain available until Sep-
11	tember 30, 2007: Provided, That the amounts provided
12	under this heading are designated as an emergency re-
13	quirement pursuant to section 402 of the conference re-
14	port to accompany S. Con. Res. 95 (108th Congress).
15	PROCUREMENT OF AMMUNITION, AIR FORCE
16	For an additional amount for "Procurement of Am-
17	munition, Air Force", \$6,998,000, to remain available
18	until September 30, 2007: Provided, That the amounts
19	provided under this heading are designated as an emer-
20	gency requirement pursuant to section 402 of the con-
21	ference report to accompany S. Con. Res. 95 (108th Con-
22	gress).
23	OTHER PROCUREMENT, AIR FORCE
24	For an additional amount for "Other Procurement,
25	Air Force", \$2,658,527,000, to remain available until

- 1 September 30, 2007: Provided, That the amounts provided
- 2 under this heading are designated as an emergency re-
- 3 quirement pursuant to section 402 of the conference re-
- 4 port to accompany S. Con. Res. 95 (108th Congress).
- 5 Procurement, Defense-Wide
- 6 For an additional amount for "Procurement, De-
- 7 fense-Wide", \$646,327,000, to remain available until Sep-
- 8 tember 30, 2007: Provided, That the amounts provided
- 9 under this heading are designated as an emergency re-
- 10 quirement pursuant to section 402 of the conference re-
- 11 port to accompany S. Con. Res. 95 (108th Congress).
- 12 RESEARCH, DEVELOPMENT, TEST AND
- 13 EVALUATION
- 14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
- 15 Army
- 16 For an additional amount for "Research, Develop-
- 17 ment, Test and Evaluation, Army", \$25,170,000, to re-
- 18 main available until September 30, 2006: Provided, That
- 19 the amounts provided under this heading are designated
- 20 as an emergency requirement pursuant to section 402 of
- 21 the conference report to accompany S. Con. Res. 95
- 22 (108th Congress).

1	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
2	Navy
3	For an additional amount for "Research, Develop-
4	ment, Test, and Evaluation, Navy", \$202,051,000, to re-
5	main available until September 30, 2006: Provided, That
6	the amounts provided under this heading are designated
7	as an emergency requirement pursuant to section 402 of
8	the conference report to accompany S. Con. Res. 95
9	(108th Congress).
10	RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11	AIR FORCE
12	For an additional amount for "Research, Develop-
13	ment, Test and Evaluation, Air Force", \$121,500,000, to
14	remain available until September 30, 2006: Provided,
15	That the amounts provided under this heading are des-
16	ignated as an emergency requirement pursuant to section
17	402 of the conference report to accompany S. Con. Res.
18	95 (108th Congress).
19	RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
20	Defense-Wide
21	For an additional amount for "Research, Develop-
22	ment, Test and Evaluation, Defense-Wide",
23	\$159,600,000, to remain available until September 30,
24	2006: Provided, That the amounts provided under this
25	heading are designated as an emergency requirement pur-

1	suant to section 402 of the conference report to accom-
2	pany S. Con. Res. 95 (108th Congress).
3	REVOLVING AND MANAGEMENT FUNDS
4	DEFENSE WORKING CAPITAL FUNDS
5	For an additional amount for "Defense Working
6	Capital Funds", \$1,411,300,000: Provided, That the
7	amounts provided under this heading are designated as
8	an emergency requirement pursuant to section 402 of the
9	conference report to accompany S. Con. Res. 95 (108th
10	Congress).
11	NATIONAL DEFENSE SEALIFT FUND
12	For an additional amount for "National Defense Sea-
13	lift Fund", \$32,400,000, to remain available until ex-
14	pended: Provided, That the amounts provided under this
15	heading are designated as an emergency requirement pur-
16	suant to section 402 of the conference report to accom-
17	pany S. Con. Res. 95 (108th Congress).
18	OTHER DEPARTMENT OF DEFENSE PROGRAMS
19	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
20	DEFENSE
21	(INCLUDING TRANSFER OF FUNDS)
22	For an additional amount for "Drug Interdiction and
23	Counter-Drug Activities, Defense", \$257,000,000, to re-
24	main available until December 31, 2005: Provided, That
25	these funds may be used for such activities related to Af-

- 1 ghanistan and the Central Asia area: Provided further,
- 2 That the Secretary of Defense may transfer the funds pro-
- 3 vided herein only to appropriations for military personnel;
- 4 operation and maintenance; procurement; and research,
- 5 development, test and evaluation: Provided further, That
- 6 the funds transferred shall be merged with and be avail-
- 7 able for the same purposes and for the same time period
- 8 as the appropriation to which transferred: Provided fur-
- 9 ther, That the transfer authority provided in this para-
- 10 graph is in addition to any other transfer authority avail-
- 11 able to the Department of Defense: Provided further, That
- 12 upon a determination that all or part of the funds trans-
- 13 ferred from this appropriation are not necessary for the
- 14 purposes provided herein, such amounts may be trans-
- 15 ferred back to this appropriation: Provided further, That
- 16 not to exceed \$70,000,000 of the funds provided herein
- 17 may be used to reimburse fully this account for obligations
- 18 incurred for the purposes provided under this heading
- 19 prior to enactment of this Act: Provided further, That the
- 20 amounts provided under this heading are designated as
- 21 an emergency requirement pursuant to section 402 of the
- 22 conference report to accompany S. Con. Res. 95 (108th
- 23 Congress).

1	Office of the Inspector General
2	For an additional amount for "Office of the Inspector
3	General", \$148,000: Provided, That the amounts provided
4	under this heading are designated as an emergency re-
5	quirement pursuant to section 402 of the conference re-
6	port to accompany S. Con. Res. 95 (108th Congress).
7	RELATED AGENCIES
8	INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT
9	For an additional amount for "Intelligence Commu-
10	nity Management Account", \$250,300,000, of which
11	\$181,000,000 is to remain available until September 30
12	2006: Provided, That the amounts provided under this
13	heading are designated as an emergency requirement pur-
14	suant to section 402 of the conference report to accom-
15	pany S. Con. Res. 95 (108th Congress).
16	GENERAL PROVISIONS—THIS CHAPTER
17	(TRANSFER OF FUNDS)
18	SEC. 1101. Upon his determination that such action
19	is necessary in the national interest, the Secretary of De-
20	fense may transfer between appropriations up to
21	\$2,000,000,000 of the funds made available to the De-
22	partment of Defense in this chapter: Provided, That the
23	Secretary shall notify the Congress promptly of each
24	transfer made pursuant to this authority: Provided fur-
25	ther. That the transfer authority provided in this section

- 1 is in addition to any other transfer authority available to
- 2 the Department of Defense: Provided further, That the au-
- 3 thority in this section is subject to the same terms and
- 4 conditions as the authority provided in section 8005 of the
- 5 Department of Defense Appropriations Act, 2005, except
- 6 for the fourth proviso: Provided further, That the amounts
- 7 made available by the transfer of funds in or pursuant
- 8 to this section are designated as an emergency require-
- 9 ment pursuant to section 402 of the conference report to
- 10 accompany S. Con. Res. 95 (108th Congress).
- 11 Sec. 1102. Section 8005 of the Department of De-
- 12 fense Appropriations Act, 2005 (Public Law 108–287;
- 13 118 Stat. 969), is amended by striking "\$3,500,000,000"
- 14 and inserting "\$5,500,000,000": Provided, That the
- 15 amounts made available by the transfer of funds in or pur-
- 16 suant to this section are designated as an emergency re-
- 17 quirement pursuant to section 402 of the conference re-
- 18 port to accompany S. Con. Res. 95 (108th Congress).
- 19 (Transfer of funds)
- Sec. 1103. During fiscal year 2005, the Secretary
- 21 of Defense may transfer amounts in or credited to the De-
- 22 fense Cooperation Account, pursuant to section 2608 of
- 23 title 10, United States Code, to such appropriations or
- 24 funds of the Department of Defense as he shall determine
- 25 for use consistent with the purposes for which such funds
- 26 were contributed and accepted: Provided, That such

- 1 amounts shall be available for the same time period as
- 2 the appropriation to which transferred: Provided further,
- 3 That the Secretary shall report to the Congress all trans-
- 4 fers made pursuant to this authority: Provided further,
- 5 That the amounts provided under this heading are des-
- 6 ignated as an emergency requirement pursuant to section
- 7 402 of the conference report to accompany S. Con. Res.
- 8 95 (108th Congress).
- 9 Sec. 1104. (a) Authority To Provide Sup-
- 10 PORT.—Of the amount appropriated by this Act under the
- 11 heading, "Drug Interdiction and Counter-Drug Activities,
- 12 Defense", not to exceed \$34,000,000 may be made avail-
- 13 able for support for counter-drug activities of the Govern-
- 14 ment of Afghanistan, and not to exceed \$4,000,000 may
- 15 be made available for support for counter-drug activities
- 16 of the Government of Pakistan: Provided, That such sup-
- 17 port shall be in addition to support provided for the
- 18 counter-drug activities of said Governments under any
- 19 other provision of the law.
- 20 (b) Types of Support.—(1) Except as specified in
- 21 subsections (b)(2) and (b)(3) of this section, the support
- 22 that may be provided under the authority in this section
- 23 shall be limited to the types of support specified in section
- 24 1033(c)(1) of the National Defense Authorization Act for
- 25 Fiscal Year 1998 (Public Law 105–85, as amended by

- 1 Public Law 106–398 and Public Law 108–136) and condi-
- 2 tions on the provision of support as contained in section
- 3 1033 shall apply for fiscal year 2005.
- 4 (2) The Secretary of Defense may transfer vehicles,
- 5 aircraft, and detection, interception, monitoring and test-
- 6 ing equipment to said Governments for counter-drug ac-
- 7 tivities.
- 8 (3) For the Government of Afghanistan, the Sec-
- 9 retary of Defense may also provide individual and crew-
- 10 served weapons, and ammunition for counter-drug secu-
- 11 rity forces.
- 12 Sec. 1105. The paragraph under the heading "Oper-
- 13 ation and Maintenance, Defense-Wide" in title II of the
- 14 Department of Defense Appropriations Act, 2005 (Public
- 15 Law 108–287; 118 Stat. 954), is amended in the first pro-
- 16 viso by striking "\$32,000,000" and inserting
- 17 "\$40,000,000".
- 18 Sec. 1106. For fiscal year 2005, the limitation under
- 19 paragraph (3) of section 2208(l) of title 10, United States
- 20 Code, on the total amount of advance billings rendered
- 21 or imposed for all working capital funds of the Depart-
- 22 ment of Defense in a fiscal year shall be applied by sub-
- 23 stituting "\$1,500,000,000" for "\$1,000,000,000".
- SEC. 1107. Section 1201(a) of the Ronald W. Reagan
- 25 National Defense Authorization Act for Fiscal Year 2005

- 1 (Public Law 108–375; 118 Stat. 2077), as amended by
- 2 section 102 of title I of division J of the Consolidated Ap-
- 3 propriations Act, 2005 (Public Law 108–447), is further
- 4 amended by striking "\$500,000,000" in the matter pre-
- 5 ceding paragraph (1) and inserting "\$854,000,000".
- 6 Sec. 1108. Section 8090(b) of the Department of De-
- 7 fense Appropriations Act, 2005 (Public Law 108–287), is
- 8 amended by striking "\$185,000,000" and inserting
- 9 "\$210,000,000".
- Sec. 1109. (a) During calendar year 2005 and not-
- 11 withstanding section 5547 of title 5, United States Code,
- 12 the head of an Executive agency may waive the limitation,
- 13 up to \$200,000, established in that section for total com-
- 14 pensation, including limitations on the aggregate of basic
- 15 pay and premium pay payable in a calendar year, to an
- 16 employee who performs work while in an overseas location
- 17 that is in the area of responsibility of the Commander of
- 18 the U.S. Central Command, in support of, or related to—
- 19 (1) a military operation, including a contin-
- gency operation, or
- 21 (2) an operation in response to a declared emer-
- gency.
- (b) To the extent that a waiver under subsection (a)
- 24 results in payment of additional premium pay of a type
- 25 that is normally creditable as basic pay for retirement or

- 1 any other purpose, such additional pay shall not be consid-
- 2 ered to be basic pay for any purpose, nor shall it be used
- 3 in computing a lump-sum payment for accumulated and
- 4 accrued annual leave under section 5551 of title 5, United
- 5 States Code.
- 6 (c) The Director of the Office of Personnel Manage-
- 7 ment may issue regulations to ensure appropriate consist-
- 8 ency among heads of executive agencies in the exercise of
- 9 authority granted by this section.
- Sec. 1110. Section 1096(b) of the Intelligence Re-
- 11 form and Terrorism Prevention Act of 2004 (Public Law
- 12 108–458) is amended—
- 13 (1) in the matter preceding paragraph (1), by
- striking "in the fiscal year after the effective date of
- this Act" and inserting "during fiscal years 2005
- and 2006"; and
- 17 (2) in paragraph (1), by striking "500 new per-
- sonnel billets" and inserting "a total of 500 new
- 19 personnel positions".
- Sec. 1111. Section 1051a(e) of title 10, United
- 21 States Code, is amended by striking "September 30,
- 22 2005" and inserting "December 31, 2005".
- Sec. 1112. Notwithstanding subsection (c) of section
- 24 308e of title 37, United States Code, the maximum
- 25 amount of the bonus paid to a member of the Armed

- 1 Forces pursuant to a reserve affiliation agreement entered
- 2 into under such section during fiscal year 2005 shall not
- 3 exceed \$10,000, and the Secretary of Defense, and the
- 4 Secretary of Homeland Security with respect to the Coast
- 5 Guard, may prescribe regulations under subsection (f) of
- 6 such section to modify the method by which bonus pay-
- 7 ments are made under reserve affiliation agreements en-
- 8 tered into during such fiscal year.
- 9 Sec. 1113. (a) Increase in SGLI Maximum.—Sec-
- 10 tion 1967 of title 38, United States Code, is amended—
- 11 (1) in subsection (a)(3)(A)(i), by striking
- 12 "\$250,000" and inserting "\$400,000 or such lesser
- amount as the member may elect in increments of
- 14 \$50,000";
- 15 (2) in subsection (a)(3)(B), by striking "member
- or spouse" in the last sentence and inserting "mem-
- ber, be evenly divisible by \$50,000 and, in the case
- of a member's spouse"; and
- 19 (3) in subsection (d), by striking "of \$250,000"
- and inserting "in effect under subsection
- 21 (a)(3)(A)(i)".
- 22 (b) Spouse Consent and Beneficiary Notifica-
- 23 TION.—Section 1967(a)(3)(B) of such title is amended—
- 24 (1) by inserting "(i)" after "(B)"; and

1	(2) by adding at the end the following new
2	clauses:
3	"(ii) A member who is married may
4	not, without the written concurrence of the
5	member's spouse—
6	"(I) elect not to be insured under
7	this subchapter or to be insured under
8	this subchapter in an amount less
9	than the maximum amount provided
10	for under subparagraph (A)(i); or
11	"(II) designate any other person
12	as a beneficiary under this program.
13	"(iii) Whenever a member who is not
14	married elects not to be insured under this
15	subchapter or to be insured under this sub-
16	chapter in an amount less than the max-
17	imum amount provided for under subpara-
18	graph (A)(i), the Secretary concerned shall
19	provide a notice of such election to any
20	person designated by the member as a ben-
21	eficiary or designated as the member's
22	next-of-kin for the purpose of emergency
23	notification, as determined under regula-
24	tions prescribed by the Secretary of De-
25	fense.".

- 1 (c) Limitation on Spouse Coverage to Amount
- 2 OF MEMBER COVERAGE.—Section 1967(a)(3)(C) of such
- 3 title is amended by inserting before the period at the end
- 4 the following: "as applicable to such member under sub-
- 5 paragraph (A)(i)".
- 6 (d) Conforming Amendments to VGLI Provi-
- 7 SIONS.—Section 1977 of such title is amended by striking
- 8 "\$250,000" each place it appears and inserting
- 9 "\$400,000".
- 10 (e) Military Death Gratuity.—Section 1478 of
- 11 title 10, United States Code, is amended—
- 12 (1) in subsection (a), by striking "\$12,000 (as
- adjusted under subsection (c))" and inserting
- 14 "\$100,000"; and
- 15 (2) by striking subsection (c).
- 16 (f) Effective Date.—The amendments made by
- 17 this section shall apply with respect to deaths occurring
- 18 on or after the date of the enactment of this Act.
- 19 Sec. 1114. (a) Special Death Gratuity for Cer-
- 20 TAIN PRIOR DEATHS IN SERVICE.—In the case of the
- 21 death of a member of the uniformed services that is a
- 22 qualifying death (as specified in subsection (b)), the Sec-
- 23 retary concerned shall pay a death gratuity of not more
- 24 than \$238,000. Of that amount—

1	(1) \$150,000 shall be paid in the manner speci-
2	fied in subsection (c); and
3	(2) \$88,000 shall be paid in the manner speci-
4	fied in subsection (d).
5	(b) QUALIFYING DEATHS.—The death of a member
6	of the uniformed services is a qualifying death for purpose
7	of this section if—
8	(1) the member died during the period begin-
9	ning on October 7, 2001, and ending on the day be-
10	fore the date of the enactment of this Act; and
11	(2) for the purpose of section 1114(a)(2), the
12	death was a direct result of an injury or illness (or
13	combination of one or more injuries or illness) in-
14	curred in Operation Enduring Freedom or Operation
15	Iraqi Freedom, as determined under regulations pre-
16	scribed by the Secretary of Defense; and
17	(3) for the purpose of section 1114(a)(1), the
18	death was a direct result of an injury or illness (or
19	combination of one or more injuries or illness) in-
20	curred by any active duty military member in the
21	performance of duty.
22	(c) SGLI BENEFICIARIES.—A payment pursuant to
23	subsection (a)(1) by reason of a covered death shall be
24	paid—

- 1 (1) to a beneficiary in proportion to the share 2 of benefits applicable to such beneficiary in the pay-3 ment of life insurance proceeds paid on the basis of 4 that death under the Servicemembers Group Life In-5 surance program under subchapter III of chapter 19 6 of title 38, United States Code; or
- 7 (2) in the case of a member who elected not to
 8 be insured under the provisions of that subchapter,
 9 in equal shares to the person or persons who would
 10 have received proceeds under those provisions of law
 11 for a member who is insured under that subchapter
 12 but does not designate named beneficiaries.
- 13 (d) Military Death Gratuity Beneficiaries.—
- 14 A payment pursuant to subsection (a)(2) by reason of a
- 15 covered death shall be paid equal shares to the bene-
- 16 ficiaries who were paid the death gratuity that was paid
- 17 with respect to that death under subchapter II of chapter
- 18 75 of title 10, United States Code.
- 19 (e) Status of Payments.—A death gratuity pay-
- 20 able under this section by reason of a qualifying death
- 21 is in addition to any other death gratuity or other benefit
- 22 payable by the United States by reason of that death.
- 23 (f) Definition.—For the purposes of this section, the
- 24 term "Secretary concerned" has the meaning given that
- 25 term in section 101 of title 37, United States Code.".

1	Sec. 1115. Funds appropriated in this chapter, or
2	made available by transfer of funds in or pursuant to this
3	chapter, for intelligence activities are deemed to be specifi-
4	cally authorized by the Congress for purposes of section
5	504 of the National Security Act of 1947 (50 U.S.C. 414).
6	SEC. 1116. None of the funds provided in this chap-
7	ter may be used to finance programs or activities denied
8	by Congress in fiscal year 2004 and 2005 appropriations
9	to the Department of Defense or to initiate a procurement
10	or research, development, test and evaluation new start
11	program without prior written notification to the congres-
12	sional defense committees.
13	CHAPTER 2
14	DEPARTMENT OF DEFENSE
15	MILITARY CONSTRUCTION, ARMY
16	For an additional amount for "Military Construction,
17	Army'', \$930,100,000, to remain available until Sep-
18	tember 30, 2006: <i>Provided</i> , That \$669,100,000 of such
19	additional amount may not be obligated until after that
20	date on which the Secretary of Defense submits to the
21	Committees on Appropriations of the House of Represent-
22	atives and Senate the comprehensive master plans for
23	overseas military infrastructure required by House Report
24	108–342: Provided further, That notwithstanding any
25	other provision of law, such funds may be obligated or ex-

- 1 pended to carry out planning and design and military con-
- 2 struction projects not otherwise authorized by law: Pro-
- 3 vided further, That the amounts provided under this head-
- 4 ing are designated as an emergency requirement pursuant
- 5 to section 402 of the conference report to accompany S.
- 6 Con. Res. 95 (108th Congress).
- 7 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
- 8 For an additional amount for "Military Construction,
- 9 Navy and Marine Corps", \$92,720,000, to remain avail-
- 10 able until September 30, 2006: Provided, That
- 11 \$32,380,000 of such additional amount may not be obli-
- 12 gated until after that date on which the Secretary of De-
- 13 fense submits to the Committees on Appropriations of the
- 14 House of Representatives and Senate the comprehensive
- 15 master plans for overseas military infrastructure required
- 16 by House Report 108-342: Provided further, That not-
- 17 withstanding any other provision of law, such funds may
- 18 be obligated or expended to carry out planning and design
- 19 and military construction projects not otherwise author-
- 20 ized by law: Provided further, That the amounts provided
- 21 under this heading are designated as an emergency re-
- 22 quirement pursuant to section 402 of the conference re-
- 23 port to accompany S. Con. Res. 95 (108th Congress).

1	MILITARY CONSTRUCTION, AIR FORCE
2	For an additional amount for "Military Construction,
3	Air Force", \$301,386,000, to remain available until Sep-
4	tember 30, 2006: <i>Provided</i> , That \$301,386,000 of such
5	additional amount may not be obligated until after that
6	date on which the Secretary of Defense submits to the
7	Committees on Appropriations of the House of Represent-
8	atives and Senate the comprehensive master plans for
9	overseas military infrastructure required by House Report
10	108–342: Provided further, That notwithstanding any
11	other provision of law, such funds may be obligated or ex-
12	pended to carry out planning and design and military con-
13	struction projects not otherwise authorized by law: Pro-
14	vided further, That the amounts provided under this head-
15	ing are designated as an emergency requirement pursuant
16	to section 402 of the conference report to accompany S.
17	Con. Res. 95 (108th Congress).
18	MILITARY PERSONNEL, ARMY
19	For an additional amount for "Military Personnel,
20	Army'', \$1,542,100,000: Provided, That the amounts pro-
21	vided under this heading are designated as an emergency

22 requirement pursuant to section 402 of the conference re-

23 port to accompany S. Con. Res. 95 (108th Congress).

1	OPERATION AND MAINTENANCE, ARMY
2	For an additional amount for "Operation and Main-
3	tenance, Army'', \$66,300,000: Provided, That the
4	amounts provided under this heading are designated as
5	an emergency requirement pursuant to section 402 of the
6	conference report to accompany S. Con. Res. 95 (108th
7	Congress).
8	Defense Health Program
9	For an additional amount for "Defense Health Pro-
10	gram", \$175,550,000 for operation and maintenance: Pro-
11	vided, That the amounts provided under this heading are
12	designated as an emergency requirement pursuant to sec-
13	tion 402 of the conference report to accompany S. Con-
14	Res. 95 (108th Congress).
15	TITLE II—INTERNATIONAL PROGRAMS AND AS-
16	SISTANCE FOR RECONSTRUCTION AND THE
17	WAR ON TERROR
18	CHAPTER 1
19	BILATERAL ECONOMIC ASSISTANCE
20	FUNDS APPROPRIATED TO THE PRESIDENT
21	UNITED STATES AGENCY FOR INTERNATIONAL
22	DEVELOPMENT
23	International Disaster and Famine Assistance
24	For an additional amount for "International Disaster
25	and Famine Assistance", \$44,000,000, to remain available

- 1 until expended, for emergency expenses related to the hu-
- 2 manitarian crisis in the Darfur region of Sudan: *Provided*,
- 3 That the amounts provided under this heading are des-
- 4 ignated as an emergency requirement pursuant to section
- 5 402 of the conference report to accompany S. Con. Res.
- 6 95 (108th Congress).
- 7 Operating Expenses of the United States Agency
- 8 FOR INTERNATIONAL DEVELOPMENT
- 9 For an additional amount for "Operating Expenses
- 10 of the United States Agency for International Develop-
- 11 ment", \$24,400,000, to remain available until September
- 12 30, 2006.
- 13 OPERATING EXPENSES OF THE UNITED STATES AGENCY
- 14 FOR INTERNATIONAL DEVELOPMENT
- 15 Office of Inspector General
- 16 For an additional amount for "Operating Expenses
- 17 of the United States Agency for International Develop-
- 18 ment Office of Inspector General", \$2,500,000, to remain
- 19 available until September 30, 2006.
- 20 OTHER BILATERAL ECONOMIC ASSISTANCE
- 21 Economic Support Fund
- For an additional amount for "Economic Support
- 23 Fund", \$684,700,000, to remain available until Sep-
- 24 tember 30, 2006, of which up to \$200,000,000 may be

1	provided for programs, activities, and efforts to support
2	Palestinians.
3	For an additional amount for "Economic Support
4	Fund", \$376,500,000, to remain available until Sep-
5	tember 30, 2006: Provided, That these funds are hereby
6	designated by Congress to be emergency requirements
7	pursuant to section 402 of the conference report to accom-
8	pany S. Con. Res. 95 (108th Congress).
9	Assistance for the Independent States of the
10	FORMER SOVIET UNION
11	For an additional amount for "Assistance for the
12	Independent States of the Former Soviet Union" for as-
13	sistance for Ukraine, \$33,700,000, to remain available
14	until September 30, 2006.
15	DEPARTMENT OF STATE
16	International Narcotics Control and Law
17	Enforcement
18	(INCLUDING TRANSFER OF FUNDS)
19	For an additional amount for "International Nar-
20	cotics Control and Law Enforcement", \$594,000,000, to
21	remain available until September 30, 2007, of which not
22	more than \$400,000,000 may be made available to provide
23	assistance to the Afghan police: Provided, That the
24	amounts provided under this heading are designated as
25	an emergency requirement pursuant to section 402 of the

1	conference report to accompany S. Con. Res. 95 (108th
2	Congress).
3	MIGRATION AND REFUGEE ASSISTANCE
4	For an additional amount for "Migration and Ref-
5	ugee Assistance", \$53,400,000, to remain available until
6	September 30, 2006: Provided, That the amounts provided
7	under this heading are designated as an emergency re-
8	quirement pursuant to section 402 of the conference re-
9	port to accompany S. Con. Res. 95 (108th Congress).
10	Nonproliferation, Anti-Terrorism, Demining and
11	Related Programs
12	For an additional amount for "Nonproliferation,
12 13	For an additional amount for "Nonproliferation, Anti-Terrorism, Demining and Related Programs",
	,
13	Anti-Terrorism, Demining and Related Programs',
13 14	Anti-Terrorism, Demining and Related Programs", \$17,100,000, to remain available until September 30,
13 14 15	Anti-Terrorism, Demining and Related Programs", \$17,100,000, to remain available until September 30, 2006: <i>Provided</i> , That the amounts provided under this
13 14 15 16	Anti-Terrorism, Demining and Related Programs", \$17,100,000, to remain available until September 30, 2006: <i>Provided</i> , That the amounts provided under this heading are designated as an emergency requirement pur-
13 14 15 16 17	Anti-Terrorism, Demining and Related Programs", \$17,100,000, to remain available until September 30, 2006: <i>Provided</i> , That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accom-
13 14 15 16 17	Anti-Terrorism, Demining and Related Programs", \$17,100,000, to remain available until September 30, 2006: <i>Provided</i> , That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).
13 14 15 16 17 18	Anti-Terrorism, Demining and Related Programs", \$17,100,000, to remain available until September 30, 2006: <i>Provided</i> , That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress). MILITARY ASSISTANCE

23 Financing Program", \$250,000,000.

1	Peacekeeping Operations
2	For an additional amount for "Peacekeeping Oper-
3	ations", \$10,000,000, to remain available until September
4	30, 2006: Provided, That the amounts provided under this
5	heading are designated as an emergency requirement pur-
6	suant to section 402 of the conference report to accom-
7	pany S. Con. Res. 95 (108th Congress).
8	GENERAL PROVISIONS—THIS CHAPTER
9	Sec. 2101. Section 307(a) of the Foreign Assistance
10	Act of 1961 is amended by striking "Iraq,".
11	(RESCISSION)
12	Sec. 2102. The unexpended balance appropriated by
13	Public Law 108–11 under the heading "Economic Sup-
14	port Fund" and made available for Turkey is rescinded.
15	Sec. 2103. Section 559 of division D of Public Law
16	108–447 is amended by adding at the end the following:
17	"(e) Subsequent to the certification specified in sub-
18	section (a), the Comptroller General of the United States
19	shall conduct an audit and an investigation of the treat-
20	ment, handling, and uses of all funds for the bilateral
21	West Bank and Gaza Program in fiscal year 2005 under
22	the heading 'Economic Support Fund'. The audit shall ad-
23	dress—
24	"(1) the extent to which such Program complies
25	with the requirements of subsections (b) and (c),
26	and

1 "(2) an examination of all programs, projects, 2 and activities carried out under such Program, in-3 cluding both obligations and expenditures.". SEC. 2104. The Secretary of State shall submit to 4 5 the Committees on Appropriations not later than 30 days after enactment, and prior to the initial obligation of funds 6 7 appropriated under this chapter, a report on the proposed 8 uses of all funds on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up 10 to 10 percent of funds appropriated under this chapter may be obligated before the submission of the report subject to the normal notification procedures of the Committees on Appropriations: Provided further, That the report shall be updated and submitted to the Committees on Ap-14 15 propriations every six months and shall include information detailing how the estimates and assumptions con-16 17 tained in previous reports have changed: Provided further, 18 That any new projects and increases in funding of ongoing 19 projects shall be subject to the prior approval of the Committees on Appropriations: Provided further, That the Sec-20 21 retary of State shall submit to the Committees on Appropriations, not later than 210 days following enactment of 23 this Act and annually thereafter, a report detailing on a project-by-project basis the expenditure of funds appro-

- 1 priated under this chapter until all funds have been fully
- 2 expended.
- 3 Sec. 2105. The Comptroller General of the United
- 4 States shall conduct an audit of the use of all funds for
- 5 the bilateral Afghanistan counternarcotics and alternative
- 6 livelihood programs in fiscal year 2005 under the heading
- 7 "Economic Support Fund" and "International Narcotics
- 8 Control and Law Enforcement": Provided, That the audit
- 9 shall include an examination of all programs, projects and
- 10 activities carried out under such programs, including both
- 11 obligations and expenditures.
- 12 Sec. 2106. No later than 60 days after the date of
- 13 enactment of this Act, the President shall submit a report
- 14 to the Congress detailing:
- 15 (1) information regarding the Palestinian secu-
- rity services, including their numbers, accountability,
- and chains of command, and steps taken to purge
- from their ranks individuals with ties to terrorist en-
- 19 tities;
- 20 (2) specific steps taken by the Palestinian Au-
- 21 thority to dismantle the terrorist infrastructure, con-
- fiscate unauthorized weapons, arrest and bring ter-
- 23 rorists to justice, destroy unauthorized arms fac-
- tories, thwart and preempt terrorist attacks, and co-
- operate with Israel's security services;

- 1 (3) specific actions taken by the Palestinian Au2 thority to stop incitement in Palestinian Authority3 controlled electronic and print media and in schools,
 4 mosques, and other institutions it controls, and to
 5 promote peace and coexistence with Israel;
 - (4) specific steps the Palestinian Authority has taken to ensure democracy, the rule of law, and an independent judiciary, and transparent and accountable governance;
 - (5) the Palestinian Authority's cooperation with U.S. officials in their investigations into the late Palestinian leader Yasser Arafat's finances; and
- 13 (6) the amount of assistance pledged and actu-14 ally provided to the Palestinian Authority by other 15 donors:
- 16 Provided, That not later than 180 days after enactment
- 17 of this Act, the President shall submit to the Congress
- 18 an update of this report: Provided further, That up to
- 19 \$5,000,000 of the funds made available for assistance to
- 20 the West Bank and Gaza by this title under "Economic
- 21 Support Fund" shall be used for an outside, independent
- 22 evaluation by an internationally recognized accounting
- 23 firm of the transparency and accountability of Palestinian
- 24 Authority accounting procedures and an audit of expendi-
- 25 tures by the Palestinian Authority: Provided further, That

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1	the waiver authority of section 550(b) of the Foreign Op-
2	erations, Export Financing, and Related Programs Appro-
3	priations Act, 2005 (Public Law 108–447) may not be ex-
4	ercised with respect to funds appropriated for assistance
5	to the Palestinians under this chapter: Provided further,
6	That the waiver detailed in Presidential Determination
7	2005–10 issued on December 8, 2004, shall not be ex-
8	tended to funds appropriated under this chapter.
9	CHAPTER 2
10	DEPARTMENT OF STATE AND RELATED
11	AGENCY
12	DEPARTMENT OF STATE
13	Administration of Foreign Affairs
14	DIPLOMATIC AND CONSULAR PROGRAMS
15	For an additional amount for "Diplomatic and Con-
16	sular Programs", \$748,500,000, to remain available until
17	September 30, 2006: Provided, That the amounts provided
18	under this heading are designated as an emergency re-
19	quirement pursuant to section 402 of the conference re-
20	port to accompany S. Con. Res. 95 (108th Congress).
21	Embassy Security, Construction, and
22	Maintenance
23	For an additional amount for "Embassy Security,
24	Construction, and Maintenance", \$592,000,000, to re-
25	main available until expended: Provided, That the

1	amounts provided under this heading are designated as
2	an emergency requirement pursuant to section 402 of the
3	conference report to accompany S. Con. Res. 95 (108th
4	Congress).
5	International Organizations
6	Contributions for International Peacekeeping
7	ACTIVITIES
8	(INCLUDING TRANSFER OF FUNDS)
9	For an additional amount for "Contributions for
10	International Peacekeeping Activities", \$580,000,000, to
11	remain available until September 30, 2006: Provided,
12	That the amounts provided under this heading are des-
13	ignated as an emergency requirement pursuant to section
14	402 of the conference report to accompany S. Con. Res.
15	95 (108th Congress): Provided further, That up to
16	\$55,000,000 provided under this heading may be trans-
17	ferred to "Peacekeeping Operations", to be available for
18	costs of establishing and operating a Sudan war crimes
19	tribunal.
20	RELATED AGENCY
21	Broadcasting Board of Governors
22	International Broadcasting Operations
23	For an additional amount for "International Broad-
24	casting Operations" for activities related to broadcasting
25	to the broader Middle East \$4,800,000 to remain avail-

1	able until September 30, 2006: Provided, That the
2	amounts provided under this heading are designated as
3	an emergency requirement pursuant to section 402 of the
4	conference report to accompany S. Con. Res. 95 (108th
5	Congress).
6	CHAPTER 3
7	DEPARTMENT OF AGRICULTURE
8	Foreign Agricultural Service
9	Public Law 480 Title II Grants
10	For an additional amount for "Public Law 480 Title
11	II Grants", \$150,000,000, to remain available until ex-
12	pended: Provided, That the amounts provided under this
13	heading are designated as an emergency requirement pur-
14	suant to section 402 of the conference report to accom-
15	pany S. Con. Res. 95 (108th Congress).
16	TITLE III—DOMESTIC APPROPRIATIONS FOR
17	THE WAR ON TERROR
18	CHAPTER 1
19	DEPARTMENT OF ENERGY
20	NATIONAL NUCLEAR SECURITY
21	ADMINISTRATION
22	DEFENSE NUCLEAR NONPROLIFERATION
23	For an additional amount for "Defense Nuclear Non-
24	proliferation", \$110,000,000, to remain available until ex-
25	pended: Provided. That the amounts provided under this

1	heading are designated as an emergency requirement pur-
2	suant to section 402 of the conference report to accom-
3	pany S. Con. Res. 95 (108th Congress).
4	CHAPTER 2
5	DEPARTMENT OF HOMELAND SECURITY
6	UNITED STATES COAST GUARD
7	OPERATING EXPENSES
8	For an additional amount for "Operating Expenses",
9	\$111,950,000: Provided, That the amounts provided
10	under this heading are designated as an emergency re-
11	quirement pursuant to section 402 of the conference re-
12	port to accompany S. Con. Res. 95 (108th Congress).
13	Acquisition, Construction, and Improvements
14	For an additional amount for "Acquisition, Construc-
15	tion, and Improvements", \$49,200,000, to remain avail-
16	able until September 30, 2007: Provided, That the
17	amounts provided under this heading are designated as
18	an emergency requirement pursuant to section 402 of the
19	conference report to accompany S. Con. Res. 95 (108th

20 Congress).

1	CHAPTER 3
2	DEPARTMENT OF JUSTICE
3	FEDERAL BUREAU OF INVESTIGATION
4	Salaries and Expenses
5	For an additional amount for "Salaries and Ex-
6	penses", \$78,970,000: Provided, That the amounts pro-
7	vided under this heading are designated as an emergency
8	requirement pursuant to section 402 of the conference re-
9	port to accompany S. Con. Res. 95 (108th Congress).
10	DRUG ENFORCEMENT ADMINISTRATION
11	Salaries and Expenses
12	For an additional amount for "Salaries and Ex-
13	penses," \$7,648,000: Provided, That the amounts pro-
14	vided under this heading are designated as an emergency
15	requirement pursuant to section 402 of the conference re-
16	port to accompany S. Con. Res. 95 (108th Congress).
17	TITLE IV—INDIAN OCEAN TSUNAMI RELIEF
18	CHAPTER 1
19	FUNDS APPROPRIATED TO THE PRESIDENT
20	OTHER BILATERAL ASSISTANCE
21	TSUNAMI RECOVERY AND RECONSTRUCTION FUND
22	(INCLUDING TRANSFERS OF FUNDS)
23	For necessary expenses to carry out the Foreign As-
24	sistance Act of 1961, for emergency relief, rehabilitation
25	and reconstruction aid to countries affected by the tsu-

- 1 nami and earthquakes of December 2004, and for other
- 2 purposes, \$656,000,000, to remain available until Sep-
- 3 tember 30, 2006: Provided, That these funds may be
- 4 transferred by the Secretary of State to any Federal agen-
- 5 cy or account for any activity authorized under part I (in-
- 6 cluding chapter 4 of part II) of the Foreign Assistance
- 7 Act, or under the Agricultural Trade Development and As-
- 8 sistance Act of 1954, to accomplish the purposes provided
- 9 herein: Provided further, That upon a determination that
- 10 all or part of the funds so transferred from this appropria-
- 11 tion are not necessary for the purposes provided herein,
- 12 such amounts may be transferred back to this appropria-
- 13 tion: Provided further, That funds appropriated under this
- 14 heading may be used to reimburse fully accounts adminis-
- 15 tered by the United States Agency for International Devel-
- 16 opment for obligations incurred for the purposes provided
- 17 under this heading prior to enactment of this Act, includ-
- 18 ing Public Law 480 Title II grants: Provided further, That
- 19 the amounts provided under this heading are designated
- 20 as an emergency requirement pursuant to section 402 of
- 21 the conference report to accompany S. Con. Res. 95
- 22 (108th Congress): Provided further, That of the amounts
- 23 provided herein: up to \$10,000,000 may be transferred to
- 24 and consolidated with the Development Credit Authority
- 25 for the cost of direct loans and loan guarantees as author-

- 1 ized by sections 256 and 635 of the Foreign Assistance
- 2 Act of 1961 in furtherance of the purposes of this heading;
- 3 up to \$15,000,000 may be transferred to and consolidated
- 4 with "Operating Expenses of the United States Agency
- 5 for International Development", of which up to
- 6 \$2,000,000 may be used for administrative expenses to
- 7 carry out credit programs administered by the United
- 8 States Agency for International Development in further-
- 9 ance of the purposes of this heading; up to \$500,000 may
- 10 be transferred to and consolidated with "Operating Ex-
- 11 penses of the United States Agency for International De-
- 12 velopment, Office of Inspector General"; and up to
- 13 \$5,000,000 may be transferred to and consolidated with
- 14 "Administration of Foreign Affairs Emergencies in the
- 15 Diplomatic and Consular Service" for the purpose of pro-
- 16 viding support services for U.S. citizen victims and related
- 17 operations.

18 GENERAL PROVISION

- 19 Sec. 4101. Amounts made available pursuant to sec-
- 20 tion 492(b) of the Foreign Assistance Act of 1961 to ad-
- 21 dress relief and rehabilitation needs for countries affected
- 22 by the tsunami and earthquake of December 2004, prior
- 23 to the enactment of this Act, shall be in addition to the
- 24 amount that may be obligated in fiscal year 2005 under
- 25 that section.

1 SEC. 4102. The Secretary of State shall submit to 2 the Committees on Appropriations not later than 30 days 3 after enactment, and prior to the initial obligation of funds 4 appropriated under this chapter, a report on the proposed 5 uses of all funds on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up 6 to 10 percent of funds appropriated under this chapter 8 may be obligated before the submission of the report subject to the normal notification procedures of the Commit-10 tees on Appropriations: Provided further, That the report shall be updated and submitted to the Committees on Ap-11 12 propriations every six months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: Provided further, 14 15 That any proposed new projects and increases in funding of ongoing projects shall be reported to the Committees 16 17 on Appropriations in accordance with regular notification procedures: *Provided further*, That the Secretary of State 18 19 shall submit to the Committees on Appropriations, not 20 later than 210 days following enactment of this Act, and 21 every six months thereafter, a report detailing on a project-by project basis, the expenditure of funds appropriated under this chapter until all funds have been fully expended.

1	CHAPTER 2
2	DEPARTMENT OF DEFENSE—MILITARY
3	OPERATION AND MAINTENANCE
4	OPERATION AND MAINTENANCE, NAVY
5	For an additional amount for "Operation and Main-
6	tenance, Navy", \$124,100,000: Provided, That the
7	amounts provided under this heading are designated as
8	an emergency requirement pursuant to section 402 of the
9	conference report to accompany S. Con. Res. 95 (108th
10	Congress).
11	OPERATION AND MAINTENANCE, MARINE CORPS
12	For an additional amount for "Operation and Main-
13	tenance, Marine Corps", \$2,800,000: Provided, That the
14	amounts provided under this heading are designated as
15	an emergency requirement pursuant to section 402 of the
16	conference report to accompany S. Con. Res. 95 (108th
17	Congress).
18	OPERATION AND MAINTENANCE, AIR FORCE
19	For an additional amount for "Operation and Main-
20	tenance, Air Force", \$30,000,000: Provided, That the
21	amounts provided under this heading are designated as
22	an emergency requirement pursuant to section 402 of the
23	conference report to accompany S. Con. Res. 95 (108th
24	Congress).

1	OPERATION AND MAINTENANCE, DEFENSE-WIDE
2	For an additional amount for "Operation and Main-
3	tenance, Defense-Wide", \$29,150,000: Provided, That the
4	amounts provided under this heading are designated as
5	an emergency requirement pursuant to section 402 of the
6	conference report to accompany S. Con. Res. 95 (108th
7	Congress).
8	Overseas Humanitarian, Disaster, and Civic Aid
9	For an additional amount for "Overseas Humani-
10	tarian, Disaster, and Civic Aid", \$36,000,000, to remain
11	available until September 30, 2006: Provided, That the
12	amounts provided under this heading are designated as
13	an emergency requirement pursuant to section 402 of the
14	conference report to accompany S. Con. Res. 95 (108th
15	Congress).
16	CHAPTER 3
17	DEPARTMENT OF DEFENSE
18	Defense Health Program
19	For an additional amount for "Defense Health Pro-
20	gram", \$3,600,000 for operation and maintenance: Pro-
21	vided, That the amounts provided under this heading are
22	designated as an emergency requirement pursuant to sec
23	tion 402 of the conference report to accompany S. Con
24	Res. 95 (108th Congress).

1	CHAPTER 4
2	DEPARTMENT OF HOMELAND SECURITY
3	UNITED STATES COAST GUARD
4	OPERATING EXPENSES
5	For an additional amount for "Operating Expenses",
6	\$350,000: Provided, That the amounts provided under
7	this heading are designated as an emergency requirement
8	pursuant to section 402 of the conference report to accom-
9	pany S. Con. Res. 95 (108th Congress).
10	CHAPTER 5
11	DEPARTMENT OF THE INTERIOR
12	UNITED STATES GEOLOGICAL SURVEY
13	Surveys, Investigations, and Research
	,
14	For an additional amount for "Surveys, Investiga-
1415	
	For an additional amount for "Surveys, Investiga-
15	For an additional amount for "Surveys, Investigations, and Research", \$8,100,000, to remain available
15 16	For an additional amount for "Surveys, Investigations, and Research", \$8,100,000, to remain available until September 30, 2006: <i>Provided</i> , That the amounts
15 16 17	For an additional amount for "Surveys, Investigations, and Research", \$8,100,000, to remain available until September 30, 2006: <i>Provided</i> , That the amounts provided under this heading are designated as an emer-

1	CHAPTER 6
2	DEPARTMENT OF COMMERCE
3	NATIONAL OCEANIC AND ATMOSPHERIC
4	Administration
5	OPERATIONS, RESEARCH, AND FACILITIES
6	For an additional amount for "Operations, Research,
7	and Facilities", \$4,830,000, to remain available until Sep-
8	tember 30, 2006, for United States tsunami warning ca-
9	pabilities and operations: Provided, That the amounts pro-
10	vided under this heading are designated as an emergency
11	requirement pursuant to section 402 of the conference re-
12	port to accompany S. Con. Res. 95 (108th Congress).
13	PROCUREMENT, ACQUISITION AND CONSTRUCTION
14	For an additional amount for "Procurement, Acquisi-
15	tion and Construction", \$9,670,000, to remain available
16	until September 30, 2007, for United States tsunami
17	warning capabilities: Provided, That the amounts provided
18	under this heading are designated as an emergency re-
19	quirement pursuant to section 402 of the conference re-
20	port to accompany S. Con. Res. 95 (108th Congress).
21	TITLE V—GENERAL PROVISIONS AND
22	TECHNICAL CORRECTIONS
23	Sec. 5001. No part of any appropriation contained
24	in this Act shall remain available for obligation beyond
25	the current fiscal year unless expressly so provided herein.

1	(INCLUDING TRANSFERS OF FUNDS)						
2	SEC. 5002. Notwithstanding any other provision of						
3	law, upon enactment of this Act, the Secretary of Defens						
4	shall make the following transfers of funds previously						
5	made available in the Department of Defense Appropria						
6	tions Act, 2005 (Public Law 108–287): Provided, That the						
7	amounts transferred shall be made available for the same						
8	purpose and the same time period as the appropriation						
9	to which transferred: Provided further, That the authority						
10	provided in this section is in addition to any other transfer						
11	authority available to the Department of Defense: Pro-						
12	vided further, That the amounts shall be transferred be-						
13	tween the following appropriations, in the amounts speci-						
14	fied:						
15	To:						
16	Under the heading, "Research, Develop-						
17	ment, Test and Evaluation, Air Force,						
18	2005/2006", \$500,000;						
19	From:						
20	Under the heading, "Other Procurement,						
21	Air Force'', \$500,000.						
22	To:						
23	Under the heading, "Other Procurement,						
24	Air Force, 2005/2007", \$8,200,000;						
25	\mathbf{From} .						

- 1 Under the heading, "Other Procurement,
- 2 Navy, 2005/2007", \$8,200,000.
- 3 Sec. 5003. Funds appropriated by this Act may be
- 4 obligated and expended notwithstanding section 15 of the
- 5 State Department Basic Authorities Act of 1956, section
- 6 313 of the Foreign Relations Authorization Act, Fiscal
- 7 Years 1994 and 1995 (Public Law 103–236) and section
- 8 10 of Public Law 91–672 (22 U.S.C. 2412), and section
- 9 504(a)(1) of the National Security Act of 1947 (50 U.S.C.
- 10 414(a)(1)).
- 11 Sec. 5004. The last proviso under the heading "Op-
- 12 eration and Maintenance" in title I of division C of Public
- 13 Law 108–447 is amended by striking "Public Law 108–
- 14 357" and inserting "Public Law 108–137".
- 15 Sec. 5005. Section 101 of title I of division C of Pub-
- 16 lie Law 108-447 is amended by striking "per project" and
- 17 all that follows through the period at the end and inserting
- 18 "for all applicable programs and projects not to exceed
- 19 \$80,000,000 in each fiscal year.".
- Sec. 5006. The matter under the heading "Water
- 21 and Related Resources" in title II of division C of Public
- 22 Law 108–447 is amended by inserting before the period
- 23 at the end the following: ": Provided further, That
- 24 \$4,023,000 of the funds appropriated under this heading
- 25 shall be deposited in the San Gabriel Basin Restoration

- 1 Fund established by section 110 of title I of division B
- 2 of the Miscellaneous Appropriations Act, 2001 (as enacted
- 3 into law by Public Law 106–554)".
- 4 Sec. 5007. In division C, title III of the Consolidated
- 5 Appropriations Act, 2005 (Public Law 108–447), the item
- 6 relating to "Department of Energy—Energy Programs—
- 7 Nuclear Waste Disposal" is amended by—
- 8 (1) inserting "to be derived from the Nuclear
- 9 Waste Fund and" after "\$346,000,000,"; and
- 10 (2) striking "to conduct scientific oversight re-
- 11 sponsibilities and participate in licensing activities
- pursuant to the Act" and inserting "to participate
- in licensing activities and other appropriate activities
- pursuant to the Act".
- SEC. 5008. Section 144(b)(2) of title I of division E
- 16 of Public Law 108-447 is amended by striking "Sep-
- 17 tember 24, 2004" and inserting "November 12, 2004".
- 18 Sec. 5009. In the statement of the managers of the
- 19 committee of conference accompanying H.R. 4818 (Public
- 20 Law 108–447; House Report 108–792), in the matter in
- 21 title III of division F, relating to the Fund for the Im-
- 22 provement of Education under the heading "Innovation
- 23 and Improvement"—
- 24 (1) the provision specifying \$500,000 for the
- 25 Mississippi Museum of Art, Jackson, MS for Hardy

- 1 Middle School After School Program shall be
- 2 deemed to read "Mississippi Museum of Art, Jack-
- 3 son, MS for a Mississippi Museum of Art After-
- 4 School Collaborative";
- 5 (2) the provision specifying \$2,000,000 for the
- 6 Milken Family Foundation, Santa Monica, CA, for
- 7 the Teacher Advancement Program shall be deemed
- 8 to read "Teacher Advancement Program Founda-
- 9 tion, Santa Monica, CA for the Teacher Advance-
- ment Program";
- 11 (3) the provision specifying \$1,000,000 for
- Batelle for Kids, Columbus, OH for a multi-state ef-
- fort to evaluate and learn the most effective ways for
- 14 accelerating student academic growth shall be
- deemed to read "Battelle for Kids, Columbus, OH
- for a multi-state effort to implement, evaluate and
- learn the most effective ways for accelerating stu-
- dent academic growth";
- 19 (4) the provision specifying \$750,000 for the
- Institute of Heart Math, Boulder Creek, CO for a
- 21 teacher retention and student dropout prevention
- program shall be deemed to read "Institute of Heart
- Math, Boulder Creek, CA for a teacher retention
- and student dropout prevention program";

- (5) the provision specifying \$200,000 for Fair-fax County Public Schools, Fairfax, VA for Chinese language programs in Franklin Sherman Elemen-tary School and Chesterbrook Elementary School in McLean, Virginia shall be deemed to read "Fairfax County Public Schools, Fairfax, VA for Chinese lan-guage programs in Shrevewood Elementary School and Wolftrap Elementary School";
 - (6) the provision specifying \$1,250,000 for the University of Alaska/Fairbanks in Fairbanks, AK, working with the State of Alaska and Catholic Community Services, for the Alaska System for Early Education Development (SEED) shall be deemed to read "University of Alaska/Southeast in Juneau, AK, working with the State of Alaska and Catholic Community Services, for the Alaska System for Early Education Development (SEED)";
 - (7) the provision specifying \$25,000 for QUILL Productions, Inc., Aston, PA, to develop and disseminate programs to enhance the teaching of American history shall be deemed to read "QUILL Entertainment Company, Aston, PA, to develop and disseminate programs to enhance the teaching of American history";

- 1 (8) the provision specifying \$780,000 for City 2 of St. Charles, MO for the St. Charles Foundry Arts 3 Center in support of arts education shall be deemed 4 to read "The Foundry Art Centre, St. Charles, Mis-5 souri for support of arts education in conjunction 6 with the City of St. Charles, MO";
 - (9) the provision specifying \$100,000 for Community Arts Program, Chester, PA, for arts education shall be deemed to read "Chester Economic Development Authority, Chester, PA for a community arts program";
 - (10) the provision specifying \$100,000 for Kids with A Promise—The Bowery Mission, Bushkill, PA shall be deemed to read "Kids with A Promise—The Bowery Mission, New York, NY";
 - (11) the provision specifying \$50,000 for Great Projects Film Company, Inc., Washington, DC, to produce "Educating America", a documentary about the challenges facing our public schools shall be deemed to read "Great Projects Film Company, Inc., New York, NY, to produce 'Educating America', a documentary about the challenges facing our public schools";
- 24 (12) the provision specifying \$30,000 for Sum-25 mer Camp Opportunities Provide an Edge

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- 1 (SCOPE), New York, NY for YMCA Camps
- 2 Skycrest, Speers and Elijabar shall be deemed to
- 3 read "American Camping Association for Summer
- 4 Camp Opportunities Provide an Edge (SCOPE),
- 5 New York, NY for YMCA Camps Skycrest and
- 6 Speers-Elijabar"; and
- 7 (13) the provision specifying \$163,000 for
- 8 Space Education Initiatives, Green Bay, WI for the
- 9 Wisconsin Space Science Initiative shall be deemed
- to read "Space Education Initiatives, De Pere, WI
- for the Wisconsin Space Science Initiative".
- SEC. 5010. In the statement of the managers of the
- 13 committee of conference accompanying H.R. 4818 (Public
- 14 Law 108–447; House Report 108–792), in the matter in
- 15 title III of division F, relating to the Fund for the Im-
- 16 provement of Postsecondary Education under the heading
- 17 "Higher Education"—
- 18 (1) the provision specifying \$145,000 for the
- 19 Belin-Blank Center at the University of Iowa, Iowa
- 20 City, IA for the Big 10 school initiative to improve
- 21 minority student access to Advanced Placement
- courses shall be deemed to read "University of Iowa,
- Iowa City, IA for the Iowa and Israel: Partners in
- Excellence program to enhance math and science op-
- portunities to rural Iowa students";

- 1 (2) the provision specifying \$150,000 for Mercy
 2 College, Dobbs Ferry, NY for the development of a
 3 registered nursing program shall be deemed to read
 4 "Mercy College, Dobbs Ferry, NY, for the development of a master's degree program in nursing education, including marketing and recruitment activities";
- 8 (3) the provision specifying \$100,000 for Uni-9 versity of Alaska/Southeast to develop distance edu-10 cation coursework for arctic engineering courses and 11 programs shall be deemed to read "University of 12 Alaska System Office to develop distance education 13 coursework for arctic engineering courses and pro-14 grams"; and
 - (4) the provision specifying \$100,000 for Culver-Stockton College, Canton, MO for equipment and technology shall be deemed to read "Moberly Area Community College, Moberly, MO for equipment and technology".
- SEC. 5011. The matter under the heading "Corpora-21 tion for National and Community Service—National and 22 Community Service Programs Operating Expenses" in
- 23 title III of division I of Public Law 108–447 is amended
- 24 by inserting before the period at the end the following:
- 25 ": Provided further, That the Corporation may use up to

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- 1 1 percent of program grant funds made available under
- 2 this heading to defray its costs of conducting grant appli-
- 3 cation reviews, including the use of outside peer review-
- 4 ers''.
- 5 Sec. 5012. Section 114 of title I of division I of the
- 6 Consolidated Appropriations Act, 2005 (Public Law 108–
- 7 447) is amended by inserting before the period "and sec-
- 8 tion 303 of Public Law 108–422".
- 9 Sec. 5013. Section 117 of title I of division I of the
- 10 Consolidated Appropriations Act, 2005 (Public Law 108–
- 11 447) is amended by striking "that are deposited into the
- 12 Medical Care Collections Fund may be transferred and
- 13 merged with" and inserting "may be deposited into the".
- 14 Sec. 5014. Section 1703(d)(2) of title 38, United
- 15 States Code, is amended by striking "shall be available
- 16 for the purposes" and inserting "shall be available, with-
- 17 out fiscal limitation, for the purposes".
- 18 Sec. 5015. Section 621 of title VI of division B of
- 19 Public Law 108–199 is amended by striking "of pas-
- 20 senger, cargo and other aviation services".
- 21 Sec. 5016. Section 619(a) of title VI of division B
- 22 of Public Law 108–447 is amended by striking "Asheville-
- 23 Buncombe Technical Community College" and inserting
- 24 "the International Small Business Institute".

- 1 Sec. 5017. (a) Section 619(a) of title VI of division
- 2 B of Public Law 108–447 is amended by striking "for
- 3 the continued modernization of the Mason Building".
- 4 (b) Section 621 of title VI of division B of Public
- 5 Law 108–199, as amended by Public Law 108–447, is
- 6 amended by striking ", for the continued modernization
- 7 of the Mason Building".
- 8 Sec. 5018. The Department of Justice may transfer
- 9 funds from any Department of Justice account to "Deten-
- 10 tion Trustee": Provided, That the notification requirement
- 11 in section 605(b) of title VI of division B of Public Law
- 12 108–447 shall remain in effect for any such transfers.
- 13 Sec. 5019. The referenced statement of managers
- 14 under the heading "Community Development Fund" in
- 15 title II of division K of Public Law 108–7 is deemed to
- 16 be amended—
- 17 (1) with respect to item number 39 by striking
- 18 "Conference and Workforce Center in Harrison, Ar-
- 19 kansas" and inserting "in Harrison, Arkansas for
- 20 facilities construction of the North Arkansas College
- 21 Health Sciences Education Center"; and
- 22 (2) with respect to item number 316 by striking
- 23 "for renovation of a visitor center to accommodate
- a Space and Flight Center" and inserting "to build-

1	out the Prince George's County Economic Develop-					
2	ment and Business Assistance Center".					
3	SEC. 5020. The referenced statement of the ma					
4	agers under the heading "Community Development Fund"					
5	in title II of division G of Public Law 108–199 is deemed					
6	to be amended—					
7	(1) with respect to item number 56 by striking					
8	3 "Conference and Training Center" and inserting					
9	"North Arkansas College Health Sciences Education					
10	Center'';					
11	(2) with respect to item number 102 by striking					
12	2 "to the Town of Groveland, California for purchas					
13	of a youth center" and inserting "to the County o					
14	Tuolomne for the purchase of a new youth center in					
15	the mountain community of Groveland";					
16	(3) with respect to item number 218 by striking					
17	"for construction" and inserting "for design and en-					
18	gineering";					
19	(4) with respect to item number 472 by striking					
20	"for sidewalk, curbs and facade improvements in the					
21	Morton Avenue neighborhood" and inserting "for					
22	streetscape renovation"; and					
23	(5) with respect to item number 493 by striking					
24	"for land acquisition" and inserting "for planning					

- and design of its Sports and Recreation Center and
- 2 Education Complex".
- 3 Sec. 5021. The referenced statement of the man-
- 4 agers under the heading "Community Development Fund"
- 5 in title II of division I of Public Law 108–447 is deemed
- 6 to be amended as follows—
- 7 (1) with respect to item number 706 by striking
- 8 "a public swimming pool" and inserting "recreation
- 9 fields";
- 10 (2) with respect to item number 667 by striking
- 11 "to the Town of Appomattox, Virginia for facilities
- 12 construction of an African-American cultural and
- heritage museum at the Carver-Price building" and
- inserting "to the County of Appomattox, Virginia for
- renovation of the Carver-Price building";
- 16 (3) with respect to item number 668 by striking
- 17 "for the Town of South Boston, Virginia for renova-
- tions and creation of a community arts center at the
- 19 Prizery" and inserting "for The Prizery in South
- 20 Boston, Virginia for renovations and creation of a
- community arts center";
- 22 (4) with respect to item number 669 by striking
- 23 "for the City of Moneta, Virginia for facilities con-
- struction and renovations of an art, education, and
- community outreach center" and inserting "for the

- 1 Moneta Arts, Education, and Community Outreach
- 2 Center in Moneta, Virginia for facilities construction
- and renovations";
- 4 (5) with respect to item number 910 by striking
- 5 "repairs to" and inserting "renovation and construc-
- 6 tion of"; and
- 7 (6) with respect to item number 902 by striking
- 8 "City of Brooklyn" and inserting "Fifth Ave Com-
- 9 mittee in Brooklyn".
- 10 Sec. 5022. Section 308 of division B of Public Law
- 11 108–447 is amended by striking all after the words "shall
- 12 be deposited", and inserting "as offsetting receipts to the
- 13 fund established under 28 U.S.C. 1931 and shall remain
- 14 available to the Judiciary until expended to reimburse any
- 15 appropriation for the amount paid out of such appropria-
- 16 tion for expenses of the Courts of Appeals, District
- 17 Courts, and Other Judicial Services and the Administra-
- 18 tive Offices of the United States Courts.".
- 19 Sec. 5023. Section 198 of division H of Public Law
- 20 108–447 is amended by inserting "under title 23 of the
- 21 United States Code" after "law".
- Sec. 5024. The District of Columbia Appropriations
- 23 Act, 2005 (Public Law 108–335) approved October 18,
- 24 2004, is amended as follows:
- 25 (1) Section 331 is amended as follows:

1	(A) in the first sentence by striking the						
2	word "\$15,000,000" and inserting						
3	"\$42,000,000, to remain available until ex-						
4	pended," in its place, and						
5	(B) by amending paragraph (5) to read as						
6	follows:						
7	"(5) The amounts may be obligated or ex-						
8	pended only if the Mayor notifies the Committees on						
9	Appropriations of the House of Representatives and						
10	Senate in writing 30 days in advance of any obliga-						
11	tion or expenditure.".						
12	(2) By inserting a new section before the short						
13	title at the end to read as follows:						
14	"Sec. 348. The amount appropriated by this Act may						
15	be increased by an additional amount of \$206,736,000 (in-						
16	cluding $$49,927,000$ from local funds and $$156,809,000$						
17	from other funds) to be transferred by the Mayor of the						
18	District of Columbia to the various headings under this						
19	Act as follows:						
20	"(1) \$174,927,000 (including \$34,927,000						
21	from local funds, and $$140,000,000$ from other						
22	funds) shall be transferred under the heading 'Gov-						
23	ernment Direction and Support': Provided, That of						
24	the funds, \$33,000,000 from local funds shall re-						
25	main available until expended: Provided further,						

1	That of the funds, \$140,000,000 from other funds					
2	shall remain available until expended and shall only					
3	be available in conjunction with revenue from a pri					
4	vate or alternative financing proposal approved pur					
5	suant to section 106 of DC Act 15-717, the 'Bal					
6	park Omnibus Financing and Revenue Act of 2004					
7	approved by the District of Columbia, December 29					
8	2004, and					
9	"(2) \$15,000,000 from local funds shall be					
10	transferred under the heading 'Repayment of Loar					
11	and Interest', and					
12	"(3) \$14,000,000 from other funds shall be					
13	transferred under the heading 'Sports and Enter					
14	tainment Commission', and					
15	(4) \$2,809,000 from other funds shall be					
16	transferred under the heading 'Water and Sewer Au					
17	thority'."					
18	TITLE VI					
19	HUMANITARIAN ASSISTANCE CODE OF					
20	CONDUCT					
21	SECTION 6001. SHORT TITLE.					
22	This title may be cited as the "Humanitarian Assist					
23	ance Code of Conduct Act of 2005"					

1	SEC. 6002. CODE OF CONDUCT FOR THE PROTECTION OF					
2	BENEFICIARIES OF HUMANITARIAN ASSIST					
3	ANCE.					
4	(a) Prohibition.—None of the funds made available					
5	for foreign operations, export financing, and related pro-					
6	grams under the headings "Migration and Refugee Assist					
7	ance", "United States Emergency Refugee and Migratic					
8	Assistance Fund", "International Disaster and Famine					
9	Assistance", or "Transition Initiatives" may be obligated					
10	to an organization that fails to adopt a code of conduct					
11	that provides for the protection of beneficiaries of assist					
12	ance under any such heading from sexual exploitation and					
13	abuse in humanitarian relief operations.					
14	(b) SIX CORE PRINCIPLES.—The code of conduct re-					
15	ferred to in subsection (a) shall, to the maximum extension					
16	practicable, be consistent with the following six core prin-					
17	ciples of the United Nations Inter-Agency Standing Com-					
18	mittee Task Force on Protection From Sexual Exploi-					
19	tation and Abuse in Humanitarian Crises:					
20	(1) "Sexual exploitation and abuse by humani-					
21	tarian workers constitute acts of gross misconduc					
22	and are therefore grounds for termination of employ-					
23	ment.".					
24	(2) "Sexual activity with children (persons					
25	under the age of 18) is prohibited regardless of the					

- age of majority or age of consent locally. Mistaken
 belief regarding the age of a child is not a defense.".
 - (3) "Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries.".
 - (4) "Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work."
 - (5) "Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.".
 - (6) "Humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment."

1 SEC. 6003. REPORT.

- 2 Not later than 180 days after the date of the enact-
- 3 ment of this Act, and not later than one year after the
- 4 date of the enactment of this Act, the President shall
- 5 transmit to the Committee on Appropriations and the
- 6 Committee on International Relations of the House of
- 7 Representatives and the Committee on Appropriations and
- 8 the Committee on Foreign Relations of the Senate a de-
- 9 tailed report on the implementation of this title.

10 SEC. 6004. EFFECTIVE DATE; APPLICABILITY.

- This title—
- 12 (1) takes effect 60 days after the date of the
- enactment of this Act; and
- 14 (2) applies to funds obligated after the effective
- date referred to in paragraph (1)—
- 16 (A) for fiscal year 2005; and
- 17 (B) any subsequent fiscal year.
- This Act may be cited as the "Emergency Supple-
- 19 mental Appropriations Act for Defense, the Global War
- 20 on Terror, and Tsunami Relief, 2005".

Union Calendar No. 7

109TH CONGRESS H. R. 1268

[Report No. 109-16]

A BILL

Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

March 11, 2005

Committed to the Committee on the Whole House on the State of the Union and ordered to be printed